



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8**

1595 Wynkoop Street
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Phone 800-227-8917
<http://www.epa.gov/region08>

FEB 11 2012

Ms. Rose Raab
Executive Director
Silverton Chamber of Commerce
414 Greene Street
P.O. Box 565
Silverton, CO 81433

RE: Upper Cement Creek, CO

Dear Ms. Raab:

Thank you for your November 28, 2011 letter to Sabrina Forrest in support of a collaborative process to address Upper Cement Creek.

We have heard from a number of citizens and other stakeholders who have voiced interest in working collaboratively to address water quality in Upper Cement Creek. Your letter identifies concerns that are commonly raised by communities when the United States Environmental Protection Agency (EPA) is evaluating an area for the National Priorities List (NPL). We'd like to assure you that the EPA has not made a decision concerning listing of the Upper Cement Creek area. The decision to propose a site for the NPL can only be made after a technical evaluation is completed to determine if the site is NPL eligible. The EPA is just completing this technical evaluation. In addition, both the State and the EPA seek community support prior to a site being proposed for listing and the EPA wants the community to understand why we are looking at this option.

More than 15 years ago the EPA committed to a community-based environmental protection effort in San Juan County, and indicated that Superfund would not be used as long as progress was being made in improving water quality in the Animas River. Unfortunately, water quality has significantly degraded in the Animas River in the last five years. It is evident that historic mine waste in Cement Creek, a tributary of the Animas River, is having a negative impact on the Animas. These impacts are likely related to cessation of water treatment in Gladstone and plugging of the American Tunnel. The EPA has compared the last five years of data to earlier data sets that indicated improvements in water quality. The Animas River Stakeholder Group (ARSG) has summarized some of these data and the EPA is also evaluating these data. If experience in other mining impacted areas is any guide, the resources required for solutions to this sort of problem will be substantial, and long-term operation and maintenance of the solution or solutions may be required.

EPA is working with other federal agencies, the State, and local community members to identify options

to reverse the degradation and improve water quality in the Animas River. It is too soon to make conclusions about how best to correct this condition. However, if the best solutions require substantial and long-term resources, CERCLA process and the NPL may be the only means to assure that full resources available to the EPA can be committed. EPA is also limited in its ability to fund interim actions and long-term projects that require ongoing operations and maintenance.

The EPA looks forward to continuing the dialogue with you and other community members regarding possible options to address water quality issues in Upper Cement Creek. If you would like to discuss this further, please contact me at 303-312-6607 or holmes.michael@epa.gov.

Sincerely,

Michael Holmes
Project Manager



November 28, 2011

Sabrina Forrest
Site Assessment Manager
U.S. Environmental Protection Agency
1595 Wynkoop Street
Denver, CO 80202-1129

Dear Ms. Forrest,

On behalf of the Board of Directors of the Silverton Area Chamber of Commerce, I wish to offer the following comments.

The Silverton Area Chamber of Commerce is extremely concerned about EPA's efforts to place an area of Cement Creek near Silverton, Colorado on the Superfund National Priorities List in the near future, and how that action may affect the area and the local business community. While improvement of water quality is a valid goal, the Chamber would prefer that goal be pursued through the proven collaborative process of the Animas River Stakeholders Group, and thus avoid the stigma associated with a Superfund designation that might impact the local economy.

Please allow this collaborative process to work by suspending current efforts to designate a Superfund site in our community.

Thank you for your attention.

Sincerely,

A handwritten signature in cursive script that reads "Rose Raab".

Rose Raab
Executive Director

The Heart of the High Country

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-----Original Message-----

From: Jim Lindaman [<mailto:jim@yesdurango.com>]
Sent: Tuesday, October 25, 2011 2:08 PM
To: forrest.sabrina@epa.gov; lane.jennifer@epa.gov
Subject: Animas

Sabrina and Jennifer,

After listening to you both, Larry Perino, and various other groups, it is my opinion that the best course of action at this time, is a collaborative effort between BLM, Sunnyside, regional stakeholders, and you. Maybe you already agree with this, and I apologize if you do, but seems there are various conflicting ideas on who believes what. I just wanted to go on record for what I believe is the best for now.
Thank you both for your time.

Jim

Jim Lindaman
Silverton Town Trustee
939 Greene Street PO Box 477
Silverton CO 81433
970-387-5883